



School Climate, Culture, PBIS & Discipline Practices

The school shall make every effort to prevent the need for the use of Restraint and/or Seclusion. Restraint and/or Seclusion shall not be used, except when there is an immediate risk of physical harm to the students or others and shall only occur in a manner that complies with this policy and protects the safety of all children and adults at the school. Every use of Restraint and/or Seclusion shall be documented and reported.

Positive Behavior Intervention and Supports:

To greatly reduce, or in most cases eliminate, the need to use Restraint and/or Seclusion, the School shall implement an evidence-based system of Positive Behavioral Intervention and Supports (PBIS System). The PBIS System shall encompass a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors. The PBIS System applies to all students, staff and settings.

The PBIS System shall include:

- Trained school staff to identify conditions such where, under what conditions, with whom and why specific inappropriate behavior may occur;
- Preventative assessments, which should include: a review of existing data, interviews with parents; family members; and students, examination of previous, and existing behavioral intervention plans;
- Using the above data, the School shall develop and implement preventative behavioral interventions and teach appropriate behavior.
- A system that will support students' efforts to manage their own behavior, implement instructing techniques in how to self-manage behavior and decrease the development of new problem behaviors, decrease the development of new problem behaviors, prevent worsening of existing problem behavior, redesign learning/teaching environments to eliminate triggers and maintainers of problem behaviors; and family involvement.

The Tier process for behavioral interventions and strategies are listed below:

- Tier 1 interventions consist of General Core Instructions:
 - .Arrange the room to facilitate instruction.
 - Explicitly teach and reinforce schoolwide rules/expectations.



- Provide procedures and routines to facilitate smooth transitions and maximize instructional time.
- Use evidence-based instructional methods
- Establish a positive classroom climate
- Tier 2 interventions often consist of Targeted Instructions:
 - Focus on more intensive strategies to respond to existing problem behaviors
 - Respond to existing behaviors within the classroom with low-intensity strategies, including active supervision, proximity, pacing, praise, opportunities to respond, and instructive feedback. Examples include behavior contracts, self-monitoring, small-group instruction in social/behavior skills, and check-in/check-out.
- Tier 3 interventions consist of Intensive Interventions:
 - Support intensive interventions that require more extensive monitoring and are reserved for students with complex, long-term, resistant behavioral, or academic issues.
 - Offer interventions including mental health counseling, one-to-one tutoring, wraparound services (e.g., school, family, community), and functional behavioral assessment-based interventions.

The Tier process for social-emotional supports and interventions and strategies are listed below:

- Tier 1 interventions consist of Universal Supports:
 - Social-emotional learning (SEL) curriculum integrated into daily instruction to promote skills such as self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.
 - School-wide positive behavior interventions and supports (PBIS) to establish a positive school climate, reinforce positive behaviors, and prevent behavior issues before they occur.
 - Regular check-ins, morning meetings, or class circles to build a sense of community, address student concerns, and foster positive relationships among peers and with adults.
- Tier 2 interventions consist of Targeted Supports:
 - Small group social skills training or counseling sessions for students who may benefit from additional support in areas such as conflict resolution, anger management, or emotional regulation.
 - Check-in/check-out systems where students receive personalized support and feedback from a designated staff member to monitor and reinforce positive behaviors and progress.
 - Peer mentoring or buddy programs to provide social support and guidance for students experiencing social-emotional challenges.
- Tier 3 interventions consist of Intensive Supports:
 - Individualized counseling or therapy sessions for students with significant social-emotional needs, trauma history, or mental health concerns.



- Functional behavior assessments (FBA) and behavior intervention plans (BIP) developed for students with persistent behavioral challenges to address underlying issues and develop targeted strategies.
- Wraparound services involving collaboration with external mental health professionals, community agencies, and families to provide comprehensive support for students with complex social-emotional needs.

All teachers will use Class DOJO as part of their behavior management system to help students monitor their behavior. Class DOJO is a computer-based program that allows teachers to reward students for appropriate behavior. It also allows teachers to communicate behaviors that are inappropriate and need to be addressed. Parents can receive up to the minute information on their child's behavior throughout the day and can communicate to teachers about the behaviors. Class DOJO individualized opportunities for students to achieve their very best. Students receive points for positive and negative behavior. Each student will have a goal of 90% daily, weekly, and quarterly to show they are following the schoolwide ABC's. As part of our PBIS policy, students will be allowed to participate in a celebration to reward their progress of good behavior. Students will be rewarded each nine weeks based off the following percentages:

- 95-100% PBIS Celebration and selection from school store
- 90-94% PBIS Celebration
- 60-89% Extra Recess
- 50-59% Extra Computer time

Every four weeks, students with exceptional behavior of 95% or higher will receive an additional reward to continue to encourage their behavior.

Restraint

The only type of restraint permitted is Physical Restraint, and any use of Physical Restraint must comply with this Policy.

Physical Restraint is defined as the use of physical contact that immobilizes or reduces the ability of a student to move his/her arms, legs, body, or head freely. Physical Restraint does not include—and this Policy does not apply to—brief, but necessary physical contact used to break up a fight, to knock a weapon away, to calm or comfort, to assist a student in completing a task where the student does not resist the contact, or to prevent an impulsive behavior threatening the student's behavior.

Physical Restraint may only be used:

- when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible, but in no circumstances may not be used for



punishment or discipline or as a substitute for other less restrictive means of assisting a student in regaining control;

- in a manner that is age and developmentally appropriate;
- by Student Personnel who are trained in safe restraint techniques, except in the case of unavoidable emergency situations when trained personnel are not immediately available;
- and
- by Student Personnel in accordance with Ohio law

Procedure for using Physical Restraint. If Student Personnel use Physical Restraint, Student Personnel must:

- be appropriately-trained to protect the care, welfare, dignity, and safety of the student;
- continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- use verbal strategies and research based de-escalation techniques in an effort to help the student regain control;
- remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated;
- conduct a de-briefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- complete all required reports and document staff's observations of the student.

Prohibited forms of restraint. The School prohibits the following forms of restraint under all circumstances, including emergency safety situations:

- "Prone Restraint" or a physical or mechanical restraint while the student is in the face down position.
- physical restraints that obstruct the airway of a student.
- physical restraints that interfere with a student's primary mode of communication.
- any restraint that unduly risks serious harm or needless pain to the student. This includes intentionally, knowingly, or recklessly using any of the following techniques:
 - uses any method that is capable of causing loss of consciousness or harm to the neck or restricting respiration in any way;
- pins down with knees to torso, head and/or neck;
- includes using pressure points, pain compliance, and joint manipulation techniques;
- drags or lifts of the student by the hair or ear;



- uses other students or untrained staff to assist with the hold or restraint; or
- secures a student to another student or to a fixed object.
- restraint of preschool children in violation of paragraph (D) of rule 3301-37-10 of the Administrative code.
- “Mechanical Restraint” or any method that restricts a student’s freedom of movement, physical activity, or normal use of the body, using an appliance or device manufactured for this purpose. This does not mean devices used for the specific and approved therapeutic or safety purpose for which such device were designed including: restraints for medical immobilization, adaptive devices or mechanical supports to allow for greater freedom of mobility, and vehicle safety restraints when used as intended during the transport of a student.
- “Chemical Restraint” or any drug or medication used to control a student’s behavior or restrict freedom of movement. This does not include drugs or medications prescribed by a qualified health professional for standard treatment of the student’s medical or psychiatric condition. This also does not include drugs or medications administered as prescribed the qualified health professional acting under the scope of Ohio law.

Seclusion

Student Personnel may only use seclusion in accordance with this Policy.

Seclusion is defined as the involuntary isolation of a student in a room, enclosure or space from which the student is prohibited from leaving by physical restraint, closed door, or other physical barrier. Seclusion is a last resort, safety intervention that provides an opportunity for the student to regain self-control.

Seclusion may be used only:

- if a student’s behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available;
- as a last resort to provide an opportunity for the student to regain control of his or her actions; and
- in a room or area that is (1) not locked and (2) provides for adequate space, lighting, ventilation, clear visibility, and the student’s safety.

Seclusion shall not be used:

- for the convenience of staff;
- as a substitute for an educational program;



- as a form of discipline/punishment;
- as a substitute for less restrictive alternatives, inadequate staff, staff training in positive behavior supports and crisis prevention or intervention; or
- as a means to coerce, retaliate, or in a manner that endangers a student.

Procedure for using Seclusion. If Student Personnel use seclusion, Student Personnel must:

- continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- use verbal strategies and research based de-escalation techniques in an effort to help the student regain control;
- remove the student from seclusion when the immediate risk of physical harm to self or others has dissipated;
- conduct a de-briefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- complete all required reports and document staff's observations of the student.

Additional Prohibited Practices

The School prohibits the following practices under any circumstances:

- *corporal punishment;*
- *child endangerment, as defined in R.C. 2919.22;*
- *deprivation of basic needs; and*
- *Aversive Behavioral Interventions.* Aversive Behavioral Intervention is defined as any interventions that are intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors. This is defined to include applications of noxious, painful and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalants or tastes.

Reporting Restraint and/or Seclusion

Each use of Restraint and/or Seclusion shall be documented in writing and reported immediately to the building administration and the parent(s).

Additionally, the use of Restraint and/or Seclusion shall be documented in a written report. A copy of the written report shall be made available to the parent or guardian within twenty-four (24) hours of the use of Restraint and/or Seclusion. The School shall maintain a copy of the report in the student's file. These reports are educational records subject to the Family



Educational Right to Privacy Act (FERPA). Pursuant to FERPA, the School is prohibited from releasing any personally identifiable information to anyone other than the parent.

The School shall report information concerning its use of restraint and seclusion annually to the Ohio Department of Education.

Repeated Dangerous Behavior

If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, the School shall conduct a functional behavioral assessment to identify the student's needs and more effective ways of addressing those needs. If necessary, this functional behavioral assessment should be followed by a behavioral intervention plan that incorporates appropriate positive behavioral interventions.

School District Monitoring and Complaint Procedures

Monitoring Procedure. To ensure this Policy is implemented, the School shall establish a monitoring procedure.

Complaint Procedure. The School shall also adopt a complaint procedure. The Complaint procedure shall be developed as follows:

- A parent may present written complaints to the Head Administrator to initiate a complaint investigation by the School regarding an incident of restraint and/or seclusion
- The School will respond to the Complaint within thirty days of the complaint's filing.

Availability of IDEA Complaint Process for Students with Disabilities

The Parent of a student with disability may choose to file a complaint with the Ohio Department of Education, Office for Exceptional Children (the "Office"), in accordance with the complaint procedures available concerning students disabilities. Complaints alleging injuries to a student with a disability or the use of restraints and/or seclusion shall not be deemed insufficient on the face if they are framed within the context of IDEA, including:

- a pattern of challenging behaviors that are related to the student's disability;
- whether the student has had or should have a functional behavioral assessment (FBA) or a positive behavior support plan (PBSP);
- whether the FBA and the PBSP are appropriate



- whether the student’s behavior and interventions are addressed or should have been addressed in the IEP; and
- whether staff has been sufficiently trained in de-escalation and restraint techniques.

Professional Development

The district shall train its staff in accordance with this Policy. For the purpose of satisfying the professional development requirements of this rule, the district may accept any professional development or continuing education provided in accordance with the ORC.

The following are requirements for professional development to be received by student personnel to implement positive behavior intervention and supports on a system-wide basis:

- (1) Occurs at least every three years;
- (2) Provided by a building or district positive behavior intervention and supports leadership team or an appropriate state, regional, or national source in collaboration with the building or district positive behavior intervention and supports leadership team;
- (3) The trained positive behavior intervention and supports leadership team will provide professional development to the school or district in accordance with a district developed positive behavior intervention and supports training plan. It is the district's responsibility to retain records of completion of the professional development; and
- (4) The professional development under this rule will include the following topics:
 - a) An overview of positive behavior intervention and supports;
 - b) The process for teaching behavioral expectations;
 - c) Data collection;
 - d) Implementation of positive behavior intervention and supports with fidelity;
 - e) Consistent systems of feedback to students for acknowledgment of appropriate behavior and corrections for behavior errors; and
 - f) Consistency in discipline and discipline referrals.

Training and professional development for the use of crisis management and de-escalation techniques which includes the use of restraint and seclusion.

- (1) A school district shall ensure that an appropriate number of personnel in each building are trained annually in evidence-based crisis management and de-escalation techniques, as well as the safe use of physical restraint and seclusion. The minimum training requirements are as follows:
 - (a) Proactive measures to prevent the use of seclusion or restraint;
 - (b) Crisis management;



- (c) Documentation and communication about the restraint or seclusion with appropriate parties;
- (d) The safe use of restraint and seclusion;
- (e) Instruction and accommodation for age and body size diversity;
- (f) Directions for monitoring signs of distress during and following physical control;
- (g) Debriefing practices and procedures;
- (h) Face-to-face training;

- (i) Allow for a simulated experience of administering and receiving physical restraint; and
- (j) Ensure that participants will demonstrate proficiency in items described in paragraphs (H)(1)(a) to (H)(1)(i) of this rule.

(2) The school district shall maintain written or electronic documentation that includes the following:

- (a) The name, position, and building assignment of each person who has completed training;
 - (b) The name, position, and credentials of each person who has provided the training;
 - (c) When the training was completed; and
 - (d) What protocols, techniques, and materials were included in training.
- (3) As part of the training under this rule, student personnel are to be trained to perform the following functions:
- (a) Identify conditions such as: where, under what conditions, with whom and why specific inappropriate behavior may occur; and
 - (b) Use preventative assessments that include at least the following:
 - (i) A review of existing data;
 - (ii) Input from parents, family members, and students; and
 - (iii) Examination of previous and existing behavior intervention plans.

Policy Dissemination:

This policy shall be made available on the website and made available to parents annually.

A sound educational program can be carried out with good discipline. The building culture will be such that the teacher can teach, and the student can learn. At Legacy Academy of Excellence Mansfield, we believe that students are responsible to make important choices about their own behavior and academics. We know that children need guidance and experience to make wise choices. Students make mistakes, and we allow for that, encouraging them to LEARN from their mistakes.

At Legacy Academy of Excellence Mansfield, we follow a progressive discipline plan to ensure the safety of all students. This means that discipline will be based on the severity and times the



student has repeated the same offense. Communication between the teacher, parent, and administrator is

vital, and every effort will be made to keep that process open. Parents are notified of behavior referrals through phone calls, emails and/or copy of referral form sent home for signature. This copy must be signed and returned to the office. However, per district policy, the principal and assistant have the responsibility to weigh all factors involved and use discretion to deliver the ultimate decision concerning a disciplinary situation. We also are aware that a firm, fair and consistent discipline plan helps support a positive learning environment.

The following behaviors will result in a referral and will be handled by administration:

Medium Behavior Offenses

- Obscene language, materials, gestures or behavior
- Attendance problems/ditching (on or off campus)
- Continually disrespect or defiant behavior
- Bullying (threatening, harassing, extorting)
- Excessive horseplay
- Throwing objects (e.g. rocks, sharp items, etc. that pose an extreme safety hazard)
- Deceitful behavior (false accusations, forgery, plagiarism, lying, cheating, etc. – restitution will be arranged)
- Unauthorized distribution/selling/buying of materials or information (school director's approval)
- Possession and or use of tobacco, cigarette lighters, matches, and look-a-likes
- Unauthorized calls: Dialing 911 from any school phone

Major Behavior Offenses:

- Fighting/Battery, regardless of who started the fight (employing hostile contact in which at least one party or both individuals have contributed to a situation by verbal action and/or bodily harm)
- Possession of drug paraphernalia
- Threatening to use a weapon, explosive, etc. to cause harm or vandalize.
- Knowingly making a false statement during an investigation or inquiry.
- Pulling the Fire Alarm



Consequences may include:

- Verbal warning from administration
- Behavior Contract
- Lunch detention, campus clean up
- Placement in Restorative Intervention Room RIR (in-school suspension)

While in RIR, the student will complete their regular assigned class work in a small supervised learning environment with an adult. Teachers are notified when a student is assigned to RIR and assignments and class work must be delivered to the room daily. Teachers will check on the student's progress. Also, they will reflect on ways to correct their behavior. If a student's behavior is such that they disrupt the RIR or refuses to do their work, the parent will be contacted and the student's intervention will be completed at home.

- Suspension away from school
- Suspension awaiting district hearing

Severe Behavior Offenses:

- Bomb threats
- False alarms
- Vandalism
- Assault (physical or verbal)
- Gang-related activities (3 or more indicators – see below)
- Possession, use, being under the influence, sale or distribution of a controlled substance (this includes look-alike items)
- Weapon possession and/or use (includes but is not limited to a knife or gun)
- Theft/Stealing
- Arson

Please note: If the offense results in violation of the law, the Police will be contacted and a report of the situation will be made at which time the student and/or parent(s) may be dealing with the local authorities as well as with the school. Students could be transported to the Juvenile Detention Center if the violation warrants that action.

Also note: A District hearing may result in a variety of outcomes. These could include:

- Placement in a different type of alternative educational setting
- Home instruction



- Expulsion

To support school environments in which students can fully engage with their classmates, their teachers, and instruction, the Board of Education of Legacy Academy of Excellence has determined the use of cell phones by students during school hours should be limited.

The objective of this policy is to strengthen Legacy Academy of Excellence's focus on learning, in alignment with our mission to ignite students' passion for learning, cultivate a strong foundation of knowledge, and foster a sense of community within our schools.

Why is this important?

Research shows that student use of cell phones and other electronic devices in schools has negative effects on student performance and mental health. Cell phones distract students from classroom instruction, resulting in smaller learning gains and lower test scores. Increased cell phone use has led to higher levels of depression, anxiety, and other mental health disorders in children.

Applicability

This policy applies to the use of cell phones and other electronic devices (IPADS and watches) by students while on school property during school hours.

Use of cellphones and other electronic devices

Students are prohibited from using cell phones and other electronic devices (not provided by the school) at all times.

Exception

Nothing in this policy prohibits a student from using a cell phone for a purpose documented in the student's individualized education program developed under Chapter 3323 of the Ohio Revised Code or a plan developed under section 504 of the "Rehabilitation Act of 1973," 29 U.S.C. 794.

A student may use a cell phone to monitor or address a health concern.

Storage

All cellular and electronic devices will be collected upon arrival and will be returned to the student during dismissal.



Discipline

If a student violates this policy, a teacher or administrator shall take the following progressively serious disciplinary measures:

1st offense: verbal notification of the policy

2nd offense: phone/device will be collected and turned into the office

3rd offense: phone/device will be collected and stored in a teacher- or administrator-controlled locker, bin, or drawer for the duration of the class period and will only be returned to a parent/guardian

4th offense: phone/device will be collected and stored in a teacher- or administrator-controlled locker, bin, or drawer for the duration of the class period and will only be returned to a parent/guardian. A conference with the student's parent or guardian will be held to discuss the policy and expectations

5th offense: phone/device will be collected and stored in a teacher- or administrator-controlled locker, bin, or drawer for the duration of the class period and student will be assigned Lunch Detention

6th offense: phone/device will be collected and stored in a teacher- or administrator-controlled locker, bin, or drawer for the duration of the class period and student will be assigned Saturday School

CONCERNING GANG-RELATED ACTIVITY

The first two times a school staff member observes what he/she perceives to be gang-related activity, an administrator will contact that parent and make note of the concern. On the third perceived exhibition of gang-related activity, the administrator again will contact the parent. The administrator will use his/her discretion in determining the appropriate level of consequence. Blatant gang-related activity is considered a severe misbehavior and will not be tolerated. Gang related activity can be intimidating to students, faculty, and staff and is disruptive to the educational process. Although this list is not all-inclusive, examples of inappropriate and unacceptable behaviors are such things as gang graffiti on school or personal property,



intimidation of others, gang fights and/or initiation rituals, wearing gang attire or “colors”. Since gang behavior, markers, and colors are variable and subject to rapid change, school administrators and staff must exercise judgment and their individual discretion based upon current circumstances in the community. Gang related indicators that will be considered include (but are not exclusive to):

- The student associates with admitted or known gang members or talks about the gang
- The student wears attire consistent with gang dress,
- The student displays gang logos, graffiti, and/or symbols on personal possessions
- The student displays gang hand signs or signals to others

FIREARMS POSSESSION FOR STUDENTS

Please refer to the Gun Free School Act of 1994 for further details. ORC 2923.122,

Students found to be in possession of a firearm while at school or at any school-related event, or at any time when the Student Behavior Handbook is in force, shall be expelled from Legacy Academy of Excellence for a minimum of one calendar year. Students may not return from expulsion for firearms possession except at the beginning of a semester. The district shall use the definition of a firearm as defined in the federal criminal code.

Emergency Removal

An Emergency Removal means a student has committed an offense that warrants their immediately removal from school premises. If a student needs to be removed through an emergency removal, the parent(s)/guardian(s) are required to have their student picked up immediately within one hour after being notified by school administration. If a parent(s)/guardian(s) cannot pick up their student up within one hour, the school reserves the right to house the student on the school premises until such time as the parent can have the student picked up, or have the student removed by proper legal authorities.

Once a student has been removed by emergency means, the student may not return to the school premises until directed by the school's School Director. The School Director also reserves the right to request a meeting with the student's parent(s)/guardian(s) before they may return to school. If a student who has been removed from school by emergency means returns to the school premises without the express written permission of the School Director, the school will



consider the student as trespassing, and reserves the right to call the proper authorities and have the student removed from the premises.

Suspension

A suspension means that a student has lost the right to attend school and school functions for a specific amount of days. Suspension always ranges from one (1) to ten (10) days. During suspensions, a student is not allowed on the school premises for any reason except by express written permission of the School Director. If a student who is currently serving suspension returns to the school premises without the express written permission of the School Director, the school will consider the student as trespassing, and reserves the right to call the proper authorities and have the student removed from the premises.

Expulsion

An explosion means that a student has lost the right to attend school and school functions for a specific amount of days. Expulsions always range from eleven (11) to one hundred and eighty (180) days. During an expulsion, a student is not allowed on the school premises for any reason except by express written permission of the School Director. If a student who is currently serving explosion returns to the school premises without the express written permission of the School Director, the school will consider the student as trespassing, and reserves the right to call the proper authorities and have the student removed from the premises.

Appeal of Suspension or Expulsion

A student or his or her parent(s), guardian(s), custodian(s) may appeal any suspension or expulsion by the Superintendent or President the Board of Trustees to the full Board of Trustees. The student or his or her parent guardian(s) or custodian(s), may be represented in all appeal proceedings and, shall granted a hearing before the Board of Trustees in order to be heard against the suspension or expulsion. At the request of the student, parent(s), guardian(s) or custodian(s), the hearing will be held in executive session, but the Board of Trustee: shall act upon the suspension or expulsion only at a public meeting. The Board of Trustees, by a majority vote of its full membership may affirm the order of suspension or expulsion, reinstate the student, or otherwise reverse, vacate, or modify the order suspension or expulsion. There shall be a verbatim record of the hearing. The decision of the Board of Trustees may be appealed under Chapter 2506 of the Ohio Revised Code.



Missed Work:

Students who are suspended from school will be provided the opportunity to complete any classroom assignments missed because of the suspension. Teachers will notify the student and parent/guardian about all missed assignments and will provide the due date for the completion of the assignment. The teacher will ensure the students receive at least partial credit for a completed assignment.

This policy shall prohibit the receipt of a failing grade on a completed assignment solely on account of the pupil's suspension.

Notice and Hearing Provisions Not Required for Normal Discipline

The required notice and hearing provisions set forth above are not applicable to instances of removal from curricular or extracurricular activity for a period not exceeding one (1) school day.

Student Due Process Rights

The board and school officials have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of administrative proceedings carried out by school authorities, does not mean that the procedures used by the courts in juvenile proceedings must be followed. The Ohio and Federal Rules of Evidence do not apply.

Students have clearly established means by which administrative due process is available for the protection of the individual's rights. Due process procedures are applied equally to all, and enforced in a manner which involves:

Adequate notice and opportunity to prepare a defense

An opportunity to be heard at a reasonable time and meaningful manner

The right to a speedy and impartial hearing on the merits of the case

Discipline policy for students with disabilities (IDEA)

The school will comply with the provisions of IDEA. An Administrator will follow the administrative guidelines below to ensure they are properly used when disciplining any student with a disability.

Removals

The school may remove a student with a disability for up to ten (10) school days; and for additional removals of up to ten (10) school days, for separate acts of misconduct, as long as there are not a pattern of removals.



The school may request a hearing officer to remove a student for up to forty-five (45) days if keeping the student in his or her current placement is substantially likely to result in injury to the student or others. The school will assess a student's troubling behavior and develop positive behavioral interventions to address the behavior, and following the Federal guidelines for determining whether the behavior is a manifestation of the student's disability.

Suspension/Expulsion

The school will not long-term suspend or expel a disabled student from school for behavior that is a manifestation of his or her disability.

Continuation of services

The school will continue to provide services for students with disabilities who are suspended or expelled from the school, except that the school need not provide services during the first ten (10) school days in a school year that the student is removed. After the first ten days, for any suspension that is for less than ten school days, the school will provide services to the extent determined necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals of his or her IEP. In cases involving removal for ten days or less, school personnel, in consultation with the child's special education teacher, decides what services are to be provided.

During any long term removal for behavior that is not a manifestation of a student's disability, the school will provide services to the extent determined necessary to enable the student to appropriately progress in the general curriculum and advance toward achieving the goals his or her IEP. The student's IEP team makes the service determination.

Behavioral assessment and behavioral interventions

Meetings of a student's IEP team to develop a behavioral assessment plan or, if the student has one, to review the student's behavioral intervention plan are only required when the student has first been removed from his or her current placement for more than ten (10) school days in a school year, and when beginning a suspension that constitutes a change in placement. If additional suspensions occur, the IEP team members review the student's behavioral intervention plan and its implementation to determine if modifications to the plan are needed, and only meet if one or more team members believe that modifications are necessary.

Manifestation determination; change of placement

The school will follow the Federal guidelines for determining whether the behavior is a manifestation of the student's disability. A change of placement will occur if a student is



removed for more than ten consecutive school days or is subjected to a series of removals that constitute a pattern because they add up to more than ten school days in a school year, and because of factors such as the length of each removal, the total amount of time the student is removed, and the closeness of the removals to one another.